**Medium and High Density Residential Zones – Staff Summary**

**General:** This Chapter combines the R-2, R-4 and RM Zones to create new standards for medium and high-density residential development. The intent is to allow for some housing choice within communities while holding development to a high quality standard.

**Uses:** Several incompatible uses were removed from the Medium and High Density Residential Zones. These include:

* Agriculture
* Cemetery
* Dwelling group
* Gold course
* Pigeons
* Private educational institutions
* Private non-profit recreational grounds
* Airport
* Boarding house
* Dental clinic
* Fraternity house
* Mobile home park
* Medical clinic
* Sorority house
* Sportmans kennel
* Banks
* Electrolysis of hair
* Gymastics dance, dramatic, art studio
* Hospital
* Hotel
* Tanning studio

**Chapter 19.30: MEDIUM AND HIGH-DENSITY RESIDENTIAL ZONES**

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**Sections:**

## 19.30.010 - Purpose of Provisions.

The purpose of the medium and high-density residential zones is to promote a mix of housing opportunities combined with some limited commercial opportunities. It is the intent of the medium and high-density housing zones to be located in walkable and transit-oriented areas that allow for a wide range of amenities and businesses in close proximity.

## 19.30.020 - Establishment of Medium and High-Density Residential Zones.

To anticipate and respond to the changing needs of the municipality and implement housing choice and walkability concepts included in the adopted General Plan, including the vision of the Moderate Income Housing Opportunities Character Area, Kearns establishes the following zones:

1. Two-Family Residential Zones (R-2): The R-2 Zones are intended to promote medium-density middle housing options between 1-2 units per building. Multiple buildings may be located on one lot; however, lots with multiple buildings are encouraged to establish a Planned Unit Development (PUD) as part of the development process.
2. Four-Family Residential Zones (R-4): The R-4 Zones are intended to promote medium-density middle housing options between 1-4 units per building. Multiple buildings may be located on one lot; however, lots with multiple buildings are encouraged to establish a PUD as part of the development process. Medium-density housing will serve as a transition between higher-density commercial, residential, or mixed-used and low-density residential or single-family.
3. Multi-Family Residential Zone (RM): The RM Zone is intended to promote medium and high-density residential housing of greater than 4 units. Development projects in this zone should accommodate multi-modal transportation opportunities, open space, amenities for units, limited commercial uses, and provide buffering between high-density and low-density housing.

## 19.30.030 - Schedule of Permitted Uses.

1. Schedule of Permitted Uses. The specific uses listed in the following schedule are permitted in the zones as indicated, subject to the general provisions, special conditions, additional restrictions, and exceptions set forth in this Title.
2. Procedure for Multiple Uses (Combination of Uses). If a development proposal involves a combination of uses other than accessory uses as identified in Table 19.XX.030, the more restrictive provisions of this Title shall apply. For example, if a portion of a development is subject to Conditional Use (“C”) approval and the other portion is subject only to Permitted Use (“P) review, the entire development shall be reviewed and approved by the Conditional Use process.
3. Abbreviations. The abbreviations used in the schedule mean:
	1. P = Permitted Use. This use is allowed in the zone but may be subject to additional restrictions and approval processes as provided in this Title.
	2. C = Conditional Use. This use is conditional because of the unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent uses, incompatibility in some areas of the zone, or compatibility only if special provisions or conditions are required to mitigate the detrimental impacts of the use. The Planning Commission is the land use authority for uses with this designation.
	3. X = Prohibited Use. This use is prohibited in this zone. Any use not specifically identified in Table 19.XX.030 is prohibited in this zone.

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| **Table 19.30.030: Uses.**  |
| **Use Categories**  | **R-2-6.5** | **R-4-8.5** | **RM** |
| Residential:  |   |   |  |
| Accessory Structures  | P | P | P |
| Dwelling, Single-Family  | P | P | X |
| Dwelling, Single-Family Attached | P | P | P |
| Dwelling, Duplex  | P | P | P |
| Dwelling, Tri-plex | X | P | P |
| Dwelling, Four-plex | X | P | P |
| Dwelling, Multi-Family (5 dwellings or more) | X | C | C |
| Mobile Home Park | X | P | X |
| Planned Unit Development  | C | C | C |
| Residential Facility for Persons with a disability subject to 19.XX  | P | P | P |
| Residential Facility for Elderly Persons | P | P | P |
| Commercial:  |   |   |  |
| Bed and Breakfast  | X | P | P |
| Home Business subject to 19.XX  | P | P | P |
| Home Daycare/Preschool subject to \_\_\_\_\_\_\_  | P | P | P |
| Daycare | X | P | P |
| Short-term Rentals  | X | X | X |
| Other:   |   |   |  |
| Public or Quasi-Public Use  | P | P | P |
| Shared Parking  | P | P | P |
| Rail Transit Mixed-use  | X | X | P |
| Public Park and Open Space | P | P | P |
| Private Park and Recreational Grounds | X | P | P |
| Temporary Buildings Incidental to Construction Work, and Other Temporary Buildings  | P | P | P |

## 19.30.040 –Development Standards.

Development in the R-2, R-4, and RM Zones shall comply with the development standards of this chapter, Table 19.30.040, and all other applicable standards in this Title.

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| **Table 19.30.040: Development Standards.**  |
| **Zone**   | **R-2-6.5**  | **R-4-8.5**  | **RM**  |
| **Minimum Lot Area, Single Family Dwelling** | 6,000 Sq Ft  | 6,000 Sq Ft  | 5,000 Sq Ft  |
| **Minimum Lot Width, Single Family Dwelling** | 60 Feet  | 60 Feet  | 50 Feet  |
| **Minimum Lot Area, Two-Family Dwelling** | 3,250 Sq Ft per dwelling | 3,250 Sq Ft per dwelling | 2,750 Sq Ft per Dwelling |
| **Minimum Lot Width, Two-Family Dwelling** | 30 Feet per dwelling | 30 Feet per dwelling | 25 Feet per dwelling |
| **Maximum Density, Planned Unit Development** | 12 Dwelling Units per acre | 18 Dwelling Units per acre | 25 Dwelling Units per acre |

1. Density for Planned Unit Developments. The allowable density for planned unit developments is determined by the Planning Commission on a case-by-case basis, taking into account the following factors: recommendations of the Planning and Development Services Staff and reviewing agencies; site constraints; compatibility with nearby land uses; and the provisions of the adopted General Plan. Notwithstanding the above, the Planning Commission may not approve a planned unit development with density higher than that which is enumerated in Table 19.30.040.
2. Calculating Density. Density calculations are based on gross density. Gross density is defined as the total number of residential dwelling units divided by the gross area of the parcel in question.

## 19.30.050 – Required Yards, Setbacks, and Bulk.

Development in the R-2, R-4, and RM Zones shall comply with the yard, setback, and bulk standards shown in Tables 19.30.050.A, 19.30.050.B, and all other applicable standards in this Title.

1. Single- and Two-Family Dwellings. The following are the required yard, setback and bulk standards for single- and two-family dwellings not part of an approved Planned Unit Development.

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| **Table 19.30.050.A: Single- and Two-Family Dwelling Yard, Setback and Bulk Standards** |
| **Zone**   | **R-2-6.5**  | **R-4-8.5**  | **RM**  |
| **Minimum Front Yard Setback** | 20 Feet | 20 Feet | 20 Feet |
| **Minimum Setback from a Street Facing Garage to a sidewalk, trail or edge of pavement** | 25 Feet | 25 Feet | 25 Feet |
| **Minimum Side Yard Setback** | 0 Feet/5 Feet1 | 0 Feet/5 Feet1 | 0 Feet/5 Feet1 |
| **Minimum Side Yard, Facing a Public Street**  | 20 Feet | 20 Feet | 20 Feet |
| **Minimum Rear Yard** | 15 Feet | 15 Feet | 15 Feet |
| **Maximum Height** | 35 Feet | 35 Feet | 35 Feet |
| **Maximum Lot Coverage** | 40% | 40% | 40% |

* + - 1. There is no minimum side yard requirement where property lines are drawn along a shared wall.
1. Three Family, Four Family and Multiple Family Buildings.

1. Where dwelling units share a common wall, no setback is required.

2. On lots with more than one primary building, the minimum distance between primary buildings is Subject to Table 19.30.050.B. It is intended that if lots with more than one primary building are ever subdivided, each building shall have a side yard half of the required distance between building or the current standard for side yards in the underlying zone. In the event that regulations conflict for sides, the stricter requirement shall take precedence.

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| **Table 19.30.050.B: Yard and Bulk Regulations.** |
|   | **Single-Family**  | **Two-Family Building**   | **Three/Four Family Building**  | ***Multi-plex (Five or more families)*** |
| **Minimum Yards; Residential Uses**  |
| **Distance Between Primary Buildings**  | 10 Feet  | 10 Feet  | 16 Feet  | 16 Feet  |

## 19.30.060 – Building Height.

Buildings in the R-2, R-4, and RM Zones shall comply with the height standards of Table 19.30.060 and all other applicable standards in this Title..

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| **Table 19.30.060: Building Height Regulations.**  |
| **Zone**   | **Single-, Two-,** **Three-, and Four-Family Buildings** | **Multi-plex (Five or more families)**  |
| **Maximum Building Height**  | 35 Feet  | 1. Feet
 |

1. No dwelling shall contain less than one story.
2. Within one hundred feet (100’) of sites zoned for single-family residential, the following standards apply:
	1. On the portion of the site within one hundred feet (100’) of a site zoned R-1, no structure or portion thereof may exceed thirty-five feet (35’) in height.
	2. On the portion of the site within one hundred feet (100’) of a site zoned R-2, R-4, RM, or RMH the maximum height is forty-five feet (45’).

## 19.30.070 - Accessory Structure Development Standards.

1. The minimum yard requirements for an accessory building are as follows:

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| **Table 19.30.070: Accessory Building Development Standards.**  |
| **Zone**   | **R-2-6.5**  | **R-2-8**  | **R-2-10**  | **R-4-8.5**  | **RM**  |
| Side Yard  | 1 Foot  | 1 Foot  | 1 Foot  | 1 Foot  | 1 Foot  |
| Side Yard, Facing a Public Street  | 20 Feet  | 20 Feet  | 20 Feet  | 20 Feet  | 20 Feet  |
| Rear Yard  | 1 Foot  | 1 Foot  | 1 Foot  | 1 Foot  | 1 Foot  |
| Setback from the Main Dwelling  | 6 Feet  | 6 Feet  | 6 Feet  | 6 Feet  | 1. Feet
 |

1. No building which is accessory to a one-family or two-family dwelling shall exceed twenty feet (20’) in height. For each one foot (1’) of height over fourteen feet (14’), accessory buildings shall be set back from property lines an additional one foot (1’) up to the allowed maximum height of twenty feet (20’).
2. No accessory building or group of accessory buildings shall cover more than twenty-five percent (25%) of the rear yard.
	* 1. **- Subdivision and PUD Standards for Medium and High-Density Residential.**
3. The division of land for one and two family projects is subject to the requirements of Title 18.
4. All other subdivisions in the Medium and High-Density Residential zones are subject to all requirements in 19.18 and platted via a PUD plat.

## 19.30.090 – General Information.

It is the responsibility of the applicant to comply with all other standards of Title 19 and all other municipal ordinances, including:

1. 19.04 Definitions
2. 19.78 Planned Unit Developments
3. 19.75 Geologic Hazards Ordinance
4. 19.48: Off-Street Parking Requirements
5. 19.50: Landscaping and Screening
6. 19.51: Specific Use Standards
7. 19.52: Signs